

"(2) The term **tortious conduct** includes any **tortious** conduct. This section

"(3) The term **pay** with respect to a member of the uniformed services means basic pay, special pay, and incentive pay that the member is authorized to receive under title 37, United States Code, or any other law providing pay for service in the uniformed services. This section

"(4) The term **Secretary concerned** means—

"(A) the Secretary of Defense, with respect to the Army, the Navy, the Air Force, the Marine Corps, and the Coast Guard (when it is operating as a service in the Navy);

"(B) the Secretary of Transportation, with respect to the Coast Guard when it is not operating as a service in the Navy;

"(C) the Secretary of Health and Human Services, with respect to the commissioned corps of the Public Health Service; and

"(D) the Secretary of Commerce, with respect to the commissioned corps of the National Oceanic and Atmospheric Administration."

(b) CONFORMING AMENDMENTS.—The first section of Public Law 87-693 (42 U.S.C. 2651) is amended—

(1) in the first sentence of subsection

(a)—

(A) by inserting "(independent of the rights of the injured or diseased person)" after "a right to recover"; and

(B) by inserting ". or that person's insurer." after "from said third person";

(2) in subsection (d), as redesignated by subsection (a)(2)—

(1) by striking out "such right," and inserting in lieu thereof "a right under subsections (a), (b), and (c)"; and

(2) by inserting "or the insurance carrier or other entity responsible for the payment or reimbursement of medical expenses or lost pay" after "the third person who is liable for the injury or disease" each place it appears.

(c) EFFECTIVE DATE.—The authority to collect pursuant to the amendments made by this section shall apply to expenses described in the first section of Public Law 87-693 (as

SEC. 1076.
CHEMICAL STOCKPILE EMERGENCY PREPAREDNESS PROGRAM.

(3) **REPORT.**—Not later than 120 days after the date of the enactment of this Act,

the Secretary of the Army shall submit to the Committee on Armed Services of the Senate and the Committee on National Security of the House of Representatives a report assessing the implementation and success of the establishment of site-specific Integrated Product and Process Teams as a management tool for the Chemical Stockpile Emergency Preparedness Program.

(4) CONTINGENT MANDATED REFORMS.—If at the end of the 120-day period beginning on the date of the enactment of this Act the Secretary of the Army and the Director of the Federal Emergency Management Agency have been unsuccessful in

Applicability.
42 USC
2651
note.

Effective date.